

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

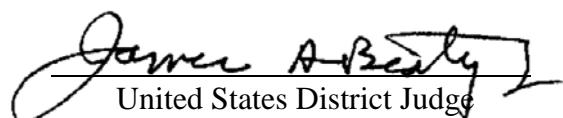
JANET M. HARVEY,)
)
)
Plaintiff,) **1:03CV00417**
)
)
v.)
)
JO ANNE B. BARNHART,)
Commissioner of Social Security,)
)
)
Defendant.)

J-U-D-G-M-E-N-T

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on January 3, 2006, was served on the parties in this action. No objections were filed within the time limits prescribed by § 636.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED AND ADJUDGED that the Commissioner's motion to dismiss for lack of prosecution [Pleading No. 14] be **GRANTED** and that this action be, and is hereby, dismissed.



United States District Judge

Date: May 9, 2006